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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,469	09/19/2003	Katell Decamp	43869.046100	8868
32361	7590	01/11/2007	EXAMINER	
GREENBERG TRAURIG, LLP			KYLE, MICHAEL J	
MET LIFE BUILDING			ART UNIT	PAPER NUMBER
200 PARK AVENUE			3677	
NEW YORK, NY 10166				
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/11/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/666,469	DECAMP, KATELL
	<b>Examiner</b>	<b>Art Unit</b>
	Michael J. Kyle	3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 October 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 and 3-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cescon et al (“Cescon”, U.S. Patent No. 5,612,687) in view of Fischer (U.S. Patent No. 4,630,983) and Takahashi et al (“Takahashi”, U.S. Patent No. 5,850,676).

3. Cescon discloses an inertial unit (16) of an aircraft (11) and a rack (14) where the inertial unit comprises inertial sensors that measure acceleration and rotation data which are then compiled in a mathematical model in order to deduce therefrom the position of the aircraft in space. Cescon is silent as to how the inertial unit fixed to the rack. Cescon also does not provide a plurality of assemblies.

4. Fischer teaches a peg (1-5), a unit (12) having a sleeve (13), and a rack (11). The peg (1-5) comprises an anterior portion (5) that is introduced, with clearance, into a sleeve (13) of the component (12). A posterior fixing part (between 1 and 5, in figure 1) is inserted in the sleeve without clearance. The posterior fixing part is designed to compensate for clearance and has a diameter greater than a diameter of the sleeve. The peg is slotted (3). Examiner notes the limitation “intended to be push-fitted simultaneously” is an intended use recitation and is given little patentable weight. As long as the prior art is capable of being used in the intended manner,

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then the prior art is considered to meet the limitation. Additionally, the limitation “push-fitted simultaneously” is a method limitation in article claim, and is given little patentable weight. As long as the prior art meets the structural limitations of the claims, then the prior art is considered capable of being made by the claimed method. Fischer shows only one assembly of a peg and sleeve, not a plurality, as claimed. This arrangement maintains the peg in a slot by resiliently engaging the shank with the slot, to make up for any difference in diameter of the slot and peg. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Cescon, such that the inertial is fixed to the rack by the peg and slot assembly of Fischer, to maintain a snug fit between the peg and slot and in turn, maintain the connection. Further, it is within the level of an ordinarily skilled artisan to use a well known and old fastening assembly (peg and slot of Fischer) on a known assembly (inertial unit, rack of Cescon).

5. Takahashi teaches a plurality of assemblies (10, 46, and 48, see figure 2) comprising an inertial unit (44), a rack (42), pegs (10), and sleeves (48). Using a plurality of peg and sleeve assemblies, as opposed to a single peg and sleeve to fasten one part to another creates a stronger connection. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Cescon, such that a plurality of pegs and sleeves, as taught by Takahashi, are used to fasten to the rack to the inertial unit. Using more fasteners provides more support for the rack on the inertial unit. The plurality of peg and sleeve assemblies are capable of being simultaneously push-fitted.

6. With respect to claims 3 and 4, Fischer teaches he peg has lateral flats (on 8) and the posterior fixing portion has a cylindrical part.

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7. With respect to claims 5 and 6, Fischer teaches the posterior fixing portion has a part that that is inserted with clearance (where 1 meets the portion having the slot 3). That part is frustoconical and situated behind the cylindrical part. Examiner considers both the portions to the left and the right of the frustoconical part to be cylindrical portions.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cescon in view of Fischer and Takahashi, as applied to claim 6 above, further in view of King, Jr. ("King", U.S. Patent No. 3,962,775). Cescon, Fischer, and Takahashi fail to disclose the peg to be coated with a graphite deposit.

9. King teaches the use of graphite on an expansion, in a sleeve, such as graphite, as a lubricant (column 12, lines 4-15). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Cescon, Fischer, and Takahashi, such that a graphite deposit is included on the peg of Fischer, to lubricate the peg, thereby allowing easier insertion into the sleeve.

#### *Response to Arguments*

10. Applicant's arguments filed 10/19/06 have been fully considered but they are not persuasive. Applicant argues that Cescon deals with a completely different field than Fischer. While they do deal with different subject matter, they both involve the use of a fastener. The unit of Cescon is fastened to the rack. Fischer teaches a fastener that resiliently engages a slot and takes up any room between the fastener and where it is inserted. This is advantageous in any situations where fasteners are used, including situations using technical equipment in airplanes.

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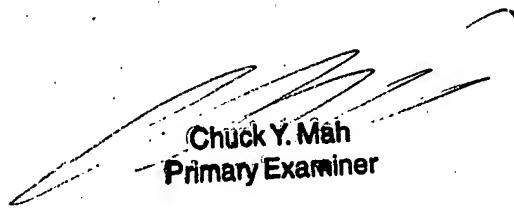
One of ordinary skill would recognize that a known fastener can be used for its known advantages in applications where using fasteners is known.

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
12. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Kyle whose telephone number is 571-272-7057. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.
14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mk



Chuck Y. Mah  
Primary Examiner